

## § 144.6

the Commission employee or former employee upon whom the demand has been made shall respectfully decline to comply with the demand.

### § 144.6 Fees.

The provisions of § 145.8 of these regulations with respect to fees for production of documents pursuant to the FOIA are applicable to this part.

## PART 145—COMMISSION RECORDS AND INFORMATION

### Sec.

#### 145.0 Definitions.

#### 145.1 Information published in the FEDERAL REGISTER.

#### 145.2 Records available for public inspection and copying; documents published and indexed.

#### 145.3 [Reserved]

#### 145.4 Public records available with identifying details deleted; nonpublic records available in abridged or summary form.

#### 145.5 Disclosure of nonpublic records.

#### 145.6 Commission offices to contact for assistance; registration records available.

#### 145.7 Requests for Commission records and copies thereof.

#### 145.8 Fees for records services.

#### 145.9 Petition for confidential treatment of information submitted to the Commission.

#### APPENDIX A TO PART 145—COMPILATION OF COMMISSION RECORDS AVAILABLE TO THE PUBLIC

#### APPENDIX B TO PART 145—SCHEDULE OF FEES

#### APPENDIX C TO PART 145 [RESERVED]

AUTHORITY: Pub. L. 99-570, 100 Stat. 3207; Pub. L. 89-554, 80 Stat. 383; Pub. L. 90-23, 81 Stat. 54; Pub. L. 98-502, 88 Stat. 1561-1564 (5 U.S.C. 552); Sec. 101(a), Pub. L. 93-463, 88 Stat. 1389 (5 U.S.C. 4a(j)); unless otherwise noted.

### § 145.0 Definitions.

For the purposes of part 145 the following definitions are applicable:

*Assistant Secretary*—refers to the Assistant Secretary of the Commission for FOI, Privacy and Sunshine Acts Compliance.

*Compliance staff*—refers to the FOI, Privacy and Sunshine Acts Compliance staff of the Office of the Secretariat at the Commission's principal office in Washington, DC assigned to respond to requests for information and to handle various other matters under the Freedom of Information Act, the Privacy

## 17 CFR Ch. I (4-1-13 Edition)

Act of 1974, and the Government in the Sunshine Act.

*Public records*—in addition to the records described in § 145.1 (material published in the FEDERAL REGISTER) and in § 145.2 (records required to be made publicly available under the Freedom of Information Act), includes those records that have been determined by the Commission to be generally available to the public directly upon oral or written request from the Commission office or division responsible for the maintenance of such records. A compilation of Commission records routinely available to the public upon request appears in appendix A to this part 145.

*Nonpublic records*—are records not identified in § 145.1, § 145.2, or appendix A of this part 145. Nonpublic records must be requested, in writing, in accordance with the provisions of § 145.7.

*Record*—is any information or agency record maintained by the Commission in any format, including an electronic format. It includes any document, writing, photograph, sound or magnetic recording, videotape, microfiche, drawing, or computer-stored information or output in the possession of the Commission. The term “record” does not include personal convenience materials over which the Commission has no control, such as appointment calendars and handwritten notes, which may be retained or destroyed at an employee's discretion.

[62 FR 17069, Apr. 9, 1997]

### § 145.1 Information published in the Federal Register.

Except as provided in § 145.5, pertaining to nonpublic matters, the following materials shall be published in the FEDERAL REGISTER for the guidance of the public:

(a) Description of the Commission's central and field organization and the established place at which, the employees from whom, and the methods whereby the public may obtain information, make submittals or requests, or obtain decisions;

(b) Statements of the general course and method by which the Commission's